

### **REMARKS**

Claims 5-7, 14-18, 31, 33-35, 38 and 41-48 are all the claims pending in the application.

Applicant thanks the Examiner for allowing claims 5, 7, 15, 18, 31, 35, 41 and 42.

Claims 6, 16, 33, 38, 43, 44, 45 and 47 have been amended to further clarify the claimed invention.

### **35 U.S.C. § 101 Rejection**

The Examiner has rejected claim 38 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended the claim to be directed to a computer readable medium. Therefore, the Examiner is requested to withdraw the rejection.

### **Prior Art Rejections**

The Examiner has rejected claims 6, 16, 33, 38 and 43-40 under 35 U.S.C. § 102(e) as being anticipated by Herman. Applicant traverses these rejections because Herman fails to disclose or suggest at least that the correction amount is limited when a cut point (change in image quality) is not detected.

The Examiner has rejected claims 14, 17 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Herman. Applicant traverses these rejections because Herman fails to disclose or suggest that the correction amount is limited when a cut point (change in image quality) is not detected, as required by claims 6, 16 and 33, from which these claims depend.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Carl J. Pellegrini cjp /

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

---

Carl J. Pellegrini  
Registration No. 40,766

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: September 8, 2008